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INFORMATION REQUEST LETTER  
URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY  
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

ANCHORAGE-A00/A

Reply to  
Attn of: HW-113

Edward Spang, Alaska State Director  
Bureau of Land Management  
Department of Interior  
222 West 7th Avenue, #13  
Anchorage, Alaska 99513

Re: Request for Submission of Preliminary Assessments  
for the Following List of Sites:

Fort Yukon White Alice Site	AK9141190083
Loran Station On Sitkinak	AK5141190087
Tanacross Airfield	AK7141190085

Dear Mr. Spang:

The U.S. Environmental Protection Agency (EPA) is issuing this request for information concerning the sites named above under the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(e). EPA is now requiring the submission of this information because your agency has failed to complete preliminary assessments for these sites in response to informal requests and letters from EPA.

The information to be submitted in response to this letter is needed to complete preliminary assessments of the sites. The preliminary assessments also may indicate the need to complete a site inspections, which includes sampling. Your agency's performance of the preliminary assessments, and perhaps a site inspections, is necessary in order for EPA to evaluate whether to include the facilities on the National Priorities List.

This formal request for submittal of information is being made to assure that the preliminary assessments are conducted for each facility that was listed on the original Federal Facilities Hazardous Waste Compliance Docket, pursuant to the statutory requirement set forth in Sec. 120(d) of CERCLA, 42 U.S.C. § 9620(d). In a judicial Order dated January 15, 1991, in the case

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entitled Conservation Law Foundation of New England v. EPA, C.A. No. 89-2325-Y, D. Mass., EPA was ordered to conduct a preliminary assessment of certain facilities by July 15, 1992, and to complete evaluations of each facility for the National Priorities List by July 15, 1993. EPA has an obligation to use its utmost diligence to meet the Court order by assuring that a preliminary assessment is conducted for each facility on the docket. The cooperation of your agency and timely assessment of each site is essential if EPA is to meet these Court-ordered deadlines.

You also should be aware that Sec. 116(a) of CERCLA, 42 U.S.C. § 9616(a), requires your agency to complete preliminary assessments and site investigations within specified times. The President delegated to the heads of Executive departments and agencies the authority to conduct such assessments with respect to facilities under the jurisdiction, custody or control of those departments and agencies, in Sec. 3(a) of Executive Order 12580 of January 23, 1987.

Therefore, pursuant to the authority of Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), you are hereby requested to respond to the information request titled "Preliminary Assessment (PA)/ Site Inspection (SI) Data Requirements for Federal Facility Docket Sites," set forth in Enclosure A to this letter. Your responses to this request for information must be submitted (postmarked or hand delivered) to EPA within 60 calendar days of receipt of this letter. To comply with this request, you must provide a response to each question. If information relevant to a question already has been provided to EPA, your answer may precisely cite the previous submittal by title, date, page and paragraph number rather than resubmit the information. To assist in your efforts, also enclosed is a copy of EPA's draft "Guidance for Performing Preliminary Assessment Under CERCLA"[Publication 9345.0-01A, September 1991].

Please be aware that compliance with this information request is mandatory. Failure to respond within 60 days of receipt or to adequately justify failure to respond can result in enforcement action by EPA pursuant to Section 104(e).

Your response to this Information Request should be mailed to:

Mark Ader  
U.S. EPA Region 10 (HW-113)  
1200 Sixth Avenue  
Seattle, WA 98101

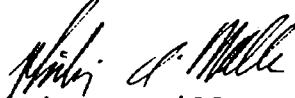
and,

Marcia Combes  
U.S. EPA Alaska Operations Office  
Room 537, Federal Building  
222 W. 7th Ave. #19  
Anchorage, Alaska 99513-7588

EPA strongly encourages you to give this matter your immediate attention and respond to this Information request within sixty days of receipt. If you have any questions pertaining to this letter or need assistance in completing the Preliminary Assessment to meet EPA's requirements, please contact Mark Ader at (206) 553-1808, or contact Marcia Combes at (907) 271-3622. Please direct legal questions to Richard McAllister of EPA's Office of Regional Counsel at (206) 553-8203.

Thank you for your cooperation in this matter.

Sincerely,



Philip G. Millam, Chief  
Superfund Branch

Enclosures

CC: George Wyeth, OGC  
Mark Garvey, OFFE